IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

WP(C).No. 20476 of 2007(K)

PETITIONER:

LALKAR P., S/O.PADMANABHAN,
VAZHAPPILLY HOUSE, KAMATH LANE, POTHOLE POST,
THRISSUR DISTRICT.

BY ADV. SRI.M.SASINDRAN

RESPONDENTS:
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1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, (GENERAL), THRISSUR.

2. THRISSUR DISTRICT CO-OPERATIVE HOSPITAL SOCIETY LTD. NO.R 306, SHORNUR ROAD, THRISSUR, REPRESENTED BY ITS SECRETARY.

BY GOVT. PLEADER SMT.ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 20476 OF 2007 K

Dated this the 4th July, 2007

JUDGMENT

Case of the petitioner, in brief, is as follows:

Petitioner is an unemployed youth belonging to Scheduled Caste Community. He possesses SSLC and is liable to be appointed as Peon/Watchman or Cleaner in the service of the second respondent. As per Section 80(4) of the Kerala Co-operative Societies Act, ten per cent of the posts are to be reserved for Scheduled Caste/Scheduled Tribe candidates. Petitioner relies on Exts.P2 to P4 Circulars. But, the second respondent has notified thirty vacancies as per Ext.P1 and none of the posts are reserved for SC/ST. Petitioner has filed Ext.P5 before first respondent. Counsel for petitioner prays that a decision may be ordered to be taken on Ext.P5. Heard the learned Government Pleader also. In the nature of the Order that I propose to pass, I do not think it necessary to issue notice to the second respondent. The Writ Petition is disposed of

directing the first respondent to consider and take a decision on Ext.P5 in accordance with law, after affording an opportunity of hearing to the petitioner and the second respondent, as expeditiously as possible and, at any rate, within a period of six weeks from the date of receipt of a copy of this Judgment. It is open to the petitioner to seek interim relief and it is for the first respondent to consider the same in accordance with law. I make it clear that it will be open to the second respondent to raise all objections before the first respondent, including the objection that Ext.P5 is not maintainable.

K. M. JOSEPH, JUDGE

kbk.